

REMARKS

Claims 1-36 were presented for examination and were pending in this application. In an Office Action dated October 2, 2006, claims 1-36 were rejected. Claims 1, 12, 19-20, 23, 32, and 36 have been amended. Claims 14, 17-18, and 34-35 have been cancelled. Claims 37-42 have been added. Support for new claims 37-38 and 40-41 can be found, for example, in Applicants' specification paragraph [0038], and [0055]-[0056]. Support for new claims 39 and 42 can be found, for example, in Applicants' specification paragraph [0040]-[0041]. No new matter has been added.

Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 12 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants have amended claims 12 and 32 to remove the limitation "middle name only". Applicants respectfully request that the Examiner's rejection on this ground be withdrawn.

Claims 19 and 36 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended claims 19 and 36. Based on this amendment, Applicants respectfully request that the Examiner's rejection on this ground be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 102(B)

Claims 1-7, 10-11, 20-27 were rejected under 35 U.S.C. § 102(b) as allegedly being unpatentable over Malik (U.S. Patent No. 7,007,085). This rejection is traversed.

Applicants submit that Malik does not qualify as prior art under 35 U.S.C. § 102(b) because the application appears to have been first published on the issue date of February 28, 2006, a date that is well after the filing date of the present application. Thus, the rejection under 35 U.S.C. § 102(b) based on Malik is improper and should be withdrawn. Should the Examiner assert that claims 1-7, 10-11, 20-27 are unpatentable under 35 U.S.C. § 102(e) based on Malik, the Applicants responds as follows:

As amended, claim 1 now recites a method comprising “determining a weight to associate with the named entity **based at least in part on frequency of the named entity within a data store**; and creating an implicit search query **based at least in part on the named entity and the associated weight.**” (Emphasis added.) These limitations of claim 1 are beneficial because weighting named entities improves the performance of implicit searches because they allow the query system to focus on terms of potentially greater interest to the user. (See Applicants’ Specification, paragraph [0041].)

Malik does not teach or suggest “determining a weight to associate with the named entity based at least in part on frequency of the named entity within a data store; and creating an implicit search query based at least in part on the named entity and the associated weight.” Malik describes obtaining information correlated or corresponding to a communication, but does not teach or suggest determining a weight to associate with the named entity nor creating an implicit search query based at least in part on the named entity and the associated weight. Therefore, at least for these reasons, Applicants submit that claim 1 is patentable over Malik.

As amended, claim 20 similarly recites determining a weight to associate with the named entity based at least in part on frequency of the named entity within a data store, and creating an implicit query based at least in part on the named entity and the associated weight. All arguments advanced above with respect to claim 1 apply equally to claim 20. As claims 2-7, 10-11, 21-27 and new claims 37-42 depend either directly or indirectly from the patentable independent claims 1 or 20 discussed above, all arguments advanced above with respect to independent claims 1 and 20 are hereby incorporated so as to apply to these dependent claims as well. In addition, claims 2-7, 10-11, 21-27 and new claims 37-42 recite other patentable features which further distinguish them from the prior art of record. Applicants submit that dependent claims 2-7, 10-11, 21-27 and new claims 37-42 are patentable over Malik by reason of their dependency, in addition to the further patentable limitations recited therein.

REJECTIONS UNDER 35 U.S.C. § 103(A)

Claims 8-9, 12-19, and 28-36 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Malik in view of Maybury (U.S. Patent No. 6,961,954). Claims 14, 17-18, and 34-35 have been cancelled herein. This rejection is traversed with respect to claims 8-9, 12-13, 15-16, 19, and 28-33, and 36.

Claims 19 and 36 recite similar limitations to those discussed above with respect to claims 1 and 20. Maybury fails to remedy the deficiencies of Malik. Namely, these references do not disclose or suggest at least the elements: determining a weight to associate with the named entity based at least in part on frequency of the named entity within a data store; and creating an implicit search query based at least in part on the named entity and the associated weight. The Examiner states that Maybury discloses associating a weight with a named entity in

column 16, lines 3-13. (Office Action dated 10/2/06, p. 7.) In the section of Maybury referenced by the Examiner, Maybury discloses using the most frequently occurring named entity within a text segment to serve as the segment's label for story summarization purposes. There is no hint or suggestion in this section or elsewhere in Maybury or Malik of **determining a weight to associate with the named entity based at least in part on frequency of the named entity within a data store, and creating an implicit search query based at least in part on the named entity and the associated weight**. Maybury's disclosure of using the most frequently occurring named entity as a label for a story does not suggest the claimed element of determining a weight to associate with the named entity. Moreover, Maybury does not suggest creating an implicit query based at least in part on the associated weight. Thus, Maybury does not remedy the deficiencies of Malik. Therefore, Applicants submit that all of the independent claims, 1, 19, 20, and 36 are patentable over the combination of Maybury and Malik at least for the reasons discussed above.

All dependent claims now pending depend either directly or indirectly from patentable claims 1 or 20 discussed above. All arguments advanced above with respect to claims 1 and 20 are hereby incorporated so as to apply to these dependent claims as well. In addition, claims 2-13, 15-16, 21-33, and new claims 37-42 recite other patentable features which further distinguish them from the prior art of record. Applicants submit that dependent claims 2-13, 15-16, 21-33, and 37-42 are patentable over Malik in view of Maybury by reason of their dependency, in addition to the further patentable limitations recited therein.

CONCLUSION

In sum, Applicants respectfully submit that all claims now pending are patentable over the cited references, for at least the reasons given above, while not necessarily conceding any

contention not specifically addressed. Applicants respectfully request reconsideration of the basis for the rejections of these claims and allowance of them.

If the Examiner believes that for any reason direct contact with Applicants' attorney would help advance the prosecution of this case, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully Submitted,
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